

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LINDA ALMONTE,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A.,

Defendant.

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CIV. NO. SA-10-CA-496-FB

SCHEDULING ORDER

Pursuant to 28 U.S.C. §636(c)(1), all full-time Magistrate Judges are authorized and empowered to try any civil case, jury or non-jury, with the consent of all parties to the lawsuit.

If you wish to consent to trial before a Magistrate Judge, you may indicate your consent on the attached form. Your consent to trial by a Magistrate Judge, must be voluntary, and you are free to withhold consent without suffering any adverse consequences. If all parties consent to trial of this case by a Magistrate Judge, the Court will enter an order referring the case to a Magistrate Judge for trial and for entry of judgment. If the case has already been referred to a magistrate Judge for pretrial matters and the parties consent to Magistrate Judge trial, the trial will be before the Magistrate Judge already assigned to the case.

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

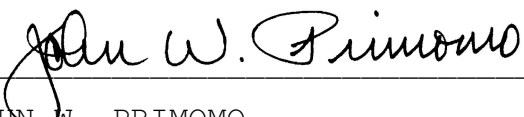
- (1) A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by **February 7, 2011**.
- (2) The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by **March 7, 2011**, and each opposing party shall respond, in writing, by **March 21, 2011**.
- (3) The parties shall file all motions to amend or supplement pleadings or to join additional parties by **March 7, 2011**.
- (4) All parties asserting claims for relief shall FILE their designation of potential witnesses, designation of

testifying experts, and list of proposed exhibits, and shall SERVE on all parties, but not file, the materials required by Fed.R.Civ.P. 26(a)(2)(B) by **April 7, 2011**. Parties resisting claims for relief shall FILE their designation of potential witnesses, designation of testimony, and list of proposed exhibits, and shall SERVE on all parties, but not file, the materials required by Fed.R.Civ.P. 26(a)(2)(B) by **May 13, 2011**. All designations of rebuttal experts shall be FILED within 14 days of receipt of the report of the opposing expert.

- (5) An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **30** days of receipt of the written report of the expert's proposed testimony, or within **30** days of the expert's deposition, if a deposition is taken, whichever is later.
- (6) The parties shall complete discovery on or before **June 6, 2011**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.
- (7) All dispositive motions shall be filed no later than **July 11, 2011**. Dispositive motion as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to 20 pages.
- (8) The trial date will be determined at a later date by the Court. The parties shall consult Local Rule CV-16(e) regarding matters to be filed in advance of trial. At the time the trial date is set, the Court will also set the deadline for the filing of matters in advance of trial.

It is so **ORDERED**.

SIGNED January 6, 2011.



JOHN W. PRIMOMO
UNITED STATES MAGISTRATE JUDGE